

MINUTES, LIMESTONE COUNTY COMMISSION, DECEMBER 3, 2012

The Limestone County Commission met in a regular meeting today, at 10:00 a.m. at the Clinton Street Courthouse Annex, 100 South Clinton Street, Athens, Alabama.

PRESENT: Gary Daly, Steve Turner, James W. "Bill" Latimer, and Ben Harrison.
Absent: None. Stanley Menefee, Chairman presided.

The meeting began with the Pledge of Allegiance.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to approve the minutes of November 19 & 28, 2012.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to approve the following claims

11/16/12	Check # 22044 - 22107	\$647,901.58
11/21/12	Check # 22108 - 22134	<u>\$ 92,837.64</u>
	TOTAL	\$740,739.22

with detailed claims of the above being on file for review upon request to the County Administrator.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to approve the following resolution and agreement.

RESOLUTION BY LIMESTONE COUNTY COMMISSION, ALABAMA

WHEREAS Act 95-769 requires the Limestone County Board of Registrars to implement a voter file maintenance process, and

WHEREAS Act 95-769 also requires the Limestone County Commission to pay the cost of postage necessary to mail certain notices to voters and to subsequently apply for and receive reimbursement for such costs from the State of Alabama, and

WHEREAS the Alabama Secretary of State has indicated that her office is willing to serve as the agent for Limestone County Commission for the purposes of paying postage costs and collecting reimbursements for such costs from the State Elections Fund as provided for in Act 95-769, and

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WHEREAS the Alabama Secretary of State served as the agent for the Limestone County Commission in 1997, 2001, 2005 and 2009, for the purposes of paying postage costs and collecting reimbursements from the State Elections Fund as provided for in Act 95-769, now therefore, and

BE IT RESOLVED BY the Limestone County Commission that it hereby agrees to appoint the Secretary of State to serve as its agent for the purposes of paying postage costs necessary for the mailing of certain notices to voters as required by Act 95-769 and collecting reimbursements for such costs from the State Elections Fund as provided in the Act, and now.

BE IT FURTHER RESOLVED that the Chairperson of the Limestone County Commission is authorized to execute an agency agreement to be entered into between this county and the Office of the Alabama Secretary of State.
Adopted this 3rd day of December of the year 2012.

Stanley Menefee, Chairman

Gary Daly
Commissioner District I

James W. "Bill" Latimer
Commissioner District III

Steve Turner
Commissioner District II

Ben Harrison
Commissioner District IV

AGENCY AGREEMENT

The *Limestone* County Commission hereby authorizes the Alabama Secretary of State to act as its agent for the purposes of paying postage necessary for the mailing of certain notices to voters as required by Act 95-769 and collecting reimbursements from the State Elections Fund associated with compliance with Act 95-769. The County Commission understands that the Secretary of State will be paying postage on the voter notifications required by §17-4-30(a), Code of Alabama (1975) for which the Commission will be obligated to reimburse the Secretary of State by this agreement and that such reimbursement shall occur from monies the County is entitled to for such costs from the State Elections Fund pursuant to § 17-4-31, Code of Alabama (1975). The County Commission also agrees that the business reply mail account fee and business reply mail postage charges will remain its responsibility for which it may be reimbursed by the State of Alabama under the normal operation of the Act.

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Chairperson
County Commission

Acceptance by the Secretary of State:

Beth Chapman
Secretary of State

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by James W. "Bill" Latimer to approve the following resolutions to resurface Elk River Mills Road and Nick Davis Road.

RESOLUTION

LIMESTONE COUNTY

STATE OF ALABAMA

Project No. LCP 42-147-12
Functional Classification No. 17

WHEREAS, the County Commission of Limestone County, Alabama, is desirous of constructing or improving, by force account, contract or both, a section of road included in the Limestone County Road System and described as follows:

**Resurface Elk River Mills Road from AL Hwy 99 to Baker Hill Road
using Alabama Transportation Rehabilitation and Improvement
Program (ATRIP) Funds.**

WHEREAS, the County agrees to all of the provisions of the county-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the Commission of Limestone County, this 3rd day of December, 2012.

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LIMESTONE COUNTY COMMISSION

Chairman

Member

Member

Member

Member

RESOLUTION

LIMESTONE COUNTY

STATE OF ALABAMA

Project No. LCP 42-148-12
Functional Classification No. 08

WHEREAS, the County Commission of Limestone County, Alabama, is desirous of constructing or improving, by force account, contract or both, a section of road included in the Limestone County Road System and described as follows:

Resurface Nick Davis Road from Mooresville Road to Sanderson Road using Alabama Transportation Rehabilitation and Improvement (ATRIP) Funds.

WHEREAS, the County agrees to all of the provisions of the county-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular session of the Commission of Limestone County, this 6th day of February, 2012.

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LIMESTONE COUNTY COMMISSION

Chairman

Member

Member

Member

Member

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Ben Harrison and seconded by Gary Daly to approve the following resolution.

RESOLUTION

WHEREAS the Limestone County Commission is the governing body of Limestone County, Alabama; and,

WHEREAS, Alabama Act No. 2008-76, a Local Act relating to Limestone County and authorizing the Limestone County Commission to develop ordinances to protect and conserve water and water supplies as well as water usage in the unincorporated portions of Limestone County, except as to agricultural and forestry operations; and,

WHEREAS, said Act became effective upon its passage and approval of the Governor of Alabama on March 25, 2008; and,

WHEREAS, since its passage and becoming law no such ordinances have been developed or adopted by the Limestone County Commission and none are pending before the Limestone County Commission and none are expected to be developed or proposed; and,

WHEREAS, the Limestone County Commission has determined that it is in the best interests of the citizens of the unincorporated portions of Limestone County, Alabama to have repealed Act No. 2008-76; and,

WHEREAS, a motion was made by Commissioner Ben Harrison, and seconded by Commissioner Gary Daly, to request the local Legislative delegation of Limestone County, Alabama to take such action necessary to repeal Act No. 2008-76 and to also authorize the Chairman of the Limestone County Commission to take such action and execute such documents as may be necessary in the furtherance thereof; and,

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WHEREAS, upon said motion and a second having been made in an open meeting of the Limestone County Commission on the 3rd day of December, 2012, with discussion had thereon and a vote having been taken, upon which vote said motion carried by a vote of 4 votes for and 0 votes against;

NOW, THEREFORE, BE IT RESOLVED BY THE LIMESTONE COUNTY COMMISSION that the Limestone County Commission hereby requests the local Legislative delegation of Limestone County, Alabama to take such action necessary to repeal Act No. 2008-76; and,

BE IT FURTHER RESOLVED that the Chairman of the Limestone County Commission is authorized to take such action and execute any and all such documents necessary to complete and perform the furtherance of same on behalf of Limestone County.

The authority granted herein shall be in force and effect immediately upon passage of this Resolution.

ADOPTED AND APPROVED this 3rd day of December, 2012.

Limestone County Commission Chairman

ATTEST:

County Clerk/Administrator

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to authorize the Chairman to execute an agreement for SOE Software Voter Education Web Portal.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner to employ Mary Renee Tucker as a Corrections Officer and Rhett McNatt as a Patrol Lieutenant, pending passage of drug and alcohol screenings.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to promote Chris Shedd and Jimmy Gatlin II to Equipment Operator III in District 3.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to approve the following merit increases, which are included in the base pay and cost of living pay as listed below.

Name	Position	Effective Date
Lynn B. Johnson	Equipment Operator II	11/04/12
Alicia Sanders	Human Resource Coord.	11/19/12
Emily Sandlin	Council on Aging Director	11/07/12

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Ben Harrison to approve the following subdivision:

Name	S/D Type	Approval Type	Lots	District	Location
The Pointe, Addition #2 Re-plat Lots 47 & 48	Minor	Preliminary & Final	2	3	Peninsula & Marina Drives north of Snake Road

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by James W. "Bill" Latimer to name First National Bank as the county depository pursuant to Code of Alabama 1975, Section 11-4-41.

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The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Steve Turner and seconded by Gary Daly to sell an International Crawler Loader (Inventory # 891) on GovDeals for District 2.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Steve Turner to accept a donation of a 1997 Dodge Intrepid for use by Council on Aging.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by Gary Daly and seconded by James W. "Bill" Latimer to close the Courthouse, Clinton Street Annex and the Washington Street Annex from noon until 1:00 p.m. on December 13, 2012 for the employee Christmas luncheon.

The Chairman asked if there was any discussion. There was no discussion. The Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, aye. Motion carries unanimously.

MOTION was made by James W. "Bill" Latimer and seconded by Gary Daly to proceed with letting of bids for renovating the old Fred's building located on the L & S properties.

The Chairman stated he would like to put the 7 acre tract, known as the L & S property, back on the tax account. The county could demolish the buildings, clear and make it look good for developers to market as commercial property; which would be in the best interest of Limestone County. After a lengthy discussion amongst the Commissioners, the Chairman called the roll. Gary Daly, aye; Steve Turner, aye; James W. "Bill" Latimer, aye; and Ben Harrison, nay. Motion carries.

Recessed at 10:37 a.m. until 10:00 a.m. on Wednesday, December 12, 2012, at the Washington Street Courthouse Annex, 310 West Washington Street, Athens, AL.